

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

	:	21-MC-101 (AKH)
	:	
IN RE SEPTEMBER 11 LITIGATION	:	This Opposition to Motion relates to:
	:	04-CV-7318
	:	
	:	Oral Argument Requested.

DECLARATION OF JOHN F. STOVIAK, ESQ.

John F. Stoviak, declares as follows:

1. I am admitted to practice before this Court *pro hac vice*, and am member of the law firm of Saul Ewing LLP, counsel for Plaintiffs Cantor Fitzgerald & Co., Cantor Fitzgerald Associates, L.P., Cantor Fitzgerald Brokerage, L.P., Cantor Fitzgerald Europe, Cantor Fitzgerald International, Cantor Fitzgerald Partners, Cantor Fitzgerald Securities, Cantor Fitzgerald, L.P., Cantor Index Limited, CO2e.com, LLC, eSpeed Government Securities, Inc., eSpeed, Inc., eSpeed Securities, Inc., and TradeSpark, L.P. (collectively, "Cantor Fitzgerald Plaintiffs") in this litigation.

2. I submit this declaration, pursuant to Rule 26 of the Federal Rules of Civil Procedure, in support of Cantor Fitzgerald Plaintiffs' Opposition to Motion of Defendants American Airlines, Inc. and AMR Corporation *In Limine* to Exclude Plaintiffs' Expert Report of Damages.

3. In support of this opposition, I attach true and correct copies of the following exhibits:

<u>No.</u>	<u>Exhibit</u>
A.	Report of Cantor Fitzgerald's damages expert, Gregory S. Thaler, dated May 25, 2010

B.	Deposition of Cantor Fitzgerald's damages expert, Gregory S. Thaler, taken June 3, 2010
C.	Submission of Cantor Fitzgerald, L.P., eSpeed, Inc., and Tradespark L.P. to the Special Master of the September 11 th Victim Compensation Fund of 2001 and to the United States Department of Justice
D.	Declaration of Stephen M. Merkel, dated September 15, 2010
E.	Loss Calculation Model of Cantor Fitzgerald Plaintiffs' damages expert, Gregory S. Thaler, dated May 25, 2010
F.	Answers of Defendant American Airlines, Inc. to the Cantor Fitzgerald Plaintiffs' Expert Interrogatories, dated March 29, 2010

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
September 15, 2010

s/ John F. Stoviak
John F. Stoviak, Esq.